

# **EXHIBIT E23**

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BRICK TRIAL, on MAY 31, 2018

ILENE BRICK vs. BRENNTAG NORTH AMERICA, et al.

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<p>1 Q WHAT THEY ARE SAYING IS, TRACE AMOUNTS BELOW</p> <p>2 1 PERCENT OF ASBESTIFORM MINERALS WOULD RESULT IN</p> <p>3 ASBESTOS EXPOSURES TO BE EXPECTED TO BE EXCEEDINGLY LOW,</p> <p>4 COMPARABLE TO WHAT'S BEING BREATHED IN AMBIENT AIR.</p> <p>5 THAT'S WHAT THAT ARTICLE SAYS, ISN'T IT?</p> <p>6 A THAT IS WHAT IT STATES. IT IS NOT TRUE, BUT</p> <p>7 THAT'S WHAT IT STATES.</p> <p>8 Q THEY MAKE REFERENCE IN HERE TO STUDIES DONE BY</p> <p>9 THE F.D.A. ON THE SAME ISSUE, WHETHER OR NOT EVEN IF</p> <p>10 THERE'S A TRACE AMOUNT OF ASBESTOS OR ASBESTIFORM</p> <p>11 MINERALS IN TALCUM POWDER, WHETHER OR NOT IT CREATES ANY</p> <p>12 RISK OR ANY EXPOSURE HIGHER THAN AMBIENT AIR OR</p> <p>13 BACKGROUND AIR.</p> <p>14 YOU ARE FAMILIAR WITH THAT; RIGHT?</p> <p>15 A I AM FAMILIAR WITH THE TEST. I DON'T KNOW IF I</p> <p>16 AM FAMILIAR THAT THEY ACTUALLY SAID THAT, SIMILAR TO</p> <p>17 THIS.</p> <p>18 Q WE WILL COME BACK TO THAT.</p> <p>19 IF THE F.D.A. HAS SAID THE SAME THING ABOUT THE</p> <p>20 LEVELS OF EXPOSURE TO ASBESTOS, IF IT EXISTS AT ALL IN</p> <p>21 TALCUM POWDER, AND WHETHER IT CREATES ANY RISK OF</p> <p>22 DISEASE AT ALL, ARE YOU SAYING YOU ARE NOT AWARE OF IT,</p> <p>23 OR YOU DON'T REMEMBER IT, OR YOU HAVE NEVER HEARD IT?</p> <p>24 A A, B, OR C. I DON'T RECALL THEM SAYING EXACTLY</p> <p>25 THIS IS WHAT YOU POINTED OUT, THAT LESS THAN OR EQUAL TO</p> <p>26 0.1 PERCENT WOULD NOT CAUSE ANY SIGNIFICANT EXPOSURE</p> <p>27 ABOVE BACKGROUND. THAT'S NOT TRUE.</p> <p>28 Q MY QUESTION TO YOU, DR. LONGO, AND WE CAN COME TO</p>	<p>1 Q SO YOU HAVE NEVER GONE TO THE EFFORT, AND NO ONE</p> <p>2 HAS EVER ASKED YOU TO TURN THE PAGE, READ THE REST OF</p> <p>3 THE STUDY, OR FOLLOW UP TO ANOTHER STUDY AND SEE WHAT</p> <p>4 THE F.D.A. IS REALLY SAYING ABOUT WHETHER THESE PRODUCTS</p> <p>5 SHOULD EVEN HAVE A LABEL ON THEM OR WHETHER THEY HAVE</p> <p>6 ANY RISK? IS THAT TRUE?</p> <p>7 A THAT'S TRUE. I DON'T LOOK AT THE RISK. I</p> <p>8 FOLLOWED UP ON THE F.D.A. TO SEE HOW THEY DID THEIR TEST</p> <p>9 TO MAKE THE KIND OF STATEMENTS LIKE THIS TO HAVE THE</p> <p>10 RIGHT SENSITIVITY. ARE THEY MEASURING THE SAME THING?</p> <p>11 ARE THEY USING THE CONCENTRATION METHOD? WHAT DID THE</p> <p>12 LAB USE? THAT'S WHAT I DID.</p> <p>13 MR. BAILEY: EXCUSE ME. YOUR HONOR, IT'S</p> <p>14 NONRESPONSIVE.</p> <p>15 THE COURT: IN ANSWER TO YOUR QUESTION, HE SAID</p> <p>16 THAT'S TRUE. SINCE IT IS CROSS-EXAMINATION, I WILL</p> <p>17 STRIKE THE REST.</p> <p>18 MR. BAILEY: THANK YOU, YOUR HONOR.</p> <p>19 BY MR. BAILEY:</p> <p>20 Q CAN WE CALL UP NUMBER 8810.</p> <p>21 THIS IS AN AD YOU RAN SOMETIME AROUND 1990 OR</p> <p>22 THEREABOUTS?</p> <p>23 A I THINK IT WAS 1989. FAIRLY ANCIENT THERE.</p> <p>24 Q I WILL LET THAT ONE SIT THERE, DOCTOR.</p> <p>25 LET'S JUST READ ALONG WHAT IT SAID. YOU RAN THIS</p> <p>26 AD EARLY ON IN YOUR CAREER; TRUE?</p> <p>27 A I GUESS IF "EARLY ON" IS SIX YEARS LATER.</p> <p>28 Q WHEN DID YOU OPEN M.A.S.?</p>
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<p>1 IT LATER. JUST AS YOU SIT HERE TODAY, DO YOU KNOW</p> <p>2 WHETHER OR NOT THE F.D.A. HAS SAID THE SAME THING -- I</p> <p>3 WILL PUT IT TO YOU THIS WAY. IF THERE IS ANY TRACE</p> <p>4 LEVEL OF ASBESTOS IN THESE TALCS, THERE IS NO RISK TO</p> <p>5 THE PEOPLE USING THEM ABOVE THOSE PEOPLE BREATHING</p> <p>6 BACKGROUND OR AMBIENT AIR?</p> <p>7 DO YOU KNOW WHETHER OR NOT THE F.D.A. HAS</p> <p>8 PUBLISHED THAT?</p> <p>9 A SAME AS THIS, NO, I DON'T RECALL THAT.</p> <p>10 Q YOU TALK ABOUT THE F.D.A.'S SENSITIVITY, THINGS</p> <p>11 OF THAT. THE BIGGER QUESTION IS THIS. DO YOU KNOW</p> <p>12 WHETHER OR NOT THEY HAVE TAKEN A POSITION ON WHETHER OR</p> <p>13 NOT, IF THERE IS ASBESTOS IN ANY OF THESE TALCUM</p> <p>14 PRODUCTS, IT CREATES ANY MEDICAL RISK TO ANYONE USING</p> <p>15 IT?</p> <p>16 DO YOU KNOW WHETHER THEY HAVE TAKEN A POSITION ON</p> <p>17 THAT?</p> <p>18 A THAT, I DON'T KNOW BECAUSE I AM JUST A</p> <p>19 MEASUREMENT GUY. SO I DON'T TALK ABOUT RISK OR HEALTH</p> <p>20 EFFECTS OF IT. JUST HOW MUCH IT IS.</p> <p>21 Q YOU ARE JUST A MEASUREMENT GUY THAT CAN CRITICIZE</p> <p>22 THE MEASUREMENTS THAT PEOPLE USE, BUT WHETHER OR NOT THE</p> <p>23 F.D.A. HAS SAID THERE IS NO RISK, EVEN IF THERE IS</p> <p>24 ASBESTOS AT THIS LEVEL AND IN THESE PRODUCTS, SINCE YOU</p> <p>25 ARE JUST THE MEASUREMENT GUY, YOU DON'T KNOW THAT ONE</p> <p>26 WAY OR THE OTHER; TRUE?</p> <p>27 A I DON'T FOLLOW THE RISK ASPECT OF IT, JUST HOW</p> <p>28 MUCH CONCENTRATION IS THERE.</p>	<p>1 A I OPENED M.A.S. IN -- OPENED THE DOORS IN</p> <p>2 FEBRUARY OF 1988, BUT I STARTED MY CAREER ANALYZING AND</p> <p>3 DOING THIS TYPE OF WORK IN 1983.</p> <p>4 Q SO BAD QUESTION. YOU OPENED YOUR COMPANY IN</p> <p>5 1988, AND BY THE NEXT YEAR, 1989, YOU WERE RUNNING THIS</p> <p>6 AD; CORRECT?</p> <p>7 A YES, SIR.</p> <p>8 Q THAT'S MORE ACCURATE?</p> <p>9 A THAT'S BETTER.</p> <p>10 Q AND YOU TOLD US SINCE THIS AD WAS RUN, YOU'VE</p> <p>11 BEEN TESTIFYING FOR ALMOST 30 YEARS IN COURTROOMS AND</p> <p>12 GIVING DEPOSITIONS; CORRECT?</p> <p>13 A MAYBE 28, 28 YEARS OR SO. FIRST TIME I TESTIFIED</p> <p>14 IN ACTUALLY WAS A CIGARETTE CASE, A TOBACCO CASE IN 1990</p> <p>15 MAYBE. FIRST ASBESTOS CASE WAS IN 1991.</p> <p>16 Q I CAN BRING YOU YOUR DEPOSITION OR SEE IF YOU</p> <p>17 AGREE WITH THIS QUESTION.</p> <p>18 YOU HAVE BEEN TESTIFYING IN COURTROOMS LIKE THIS</p> <p>19 FOR ALMOST 30 YEARS; TRUE?</p> <p>20 A ALMOST, THAT'S TRUE.</p> <p>21 Q AND YOU RAN THIS AD THE YEAR AFTER YOU OPENED</p> <p>22 YOUR BUSINESS IN THE NATIONAL ASBESTOS COUNCIL MAGAZINE;</p> <p>23 TRUE?</p> <p>24 A THAT IS CORRECT.</p> <p>25 Q AND IT READS:</p> <p>26 AT M.A.S. NOT ONLY WILL THE DATA</p> <p>27 SHOW UP IN COURT, SO WILL THE</p> <p>28 PROFESSIONALS WHO DOCUMENTED IT.</p>

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<p>1       <b>CORRECT?</b></p> <p>2       A   THAT IS -- THAT QUOTE IS A GEORGE YAMATE, BUT</p> <p>3       THAT IS CORRECT.</p> <p>4       <b>Q   BUT THIS IS YOUR COMPANY AND YOU KNEW OF THIS.</b></p> <p>5       <b>YOU'RE SITTING RIGHT IN THE MIDDLE OF IT; RIGHT?</b></p> <p>6       A   YES, I WAS TELLING YOU WHOSE NAME IT WAS UNDER.</p> <p>7       <b>Q   THE NEXT HERE SAYS:</b></p> <p>8               <b>WILL YOUR T.E.M. LABORATORY DATA</b></p> <p>9               <b>MAKE IT THROUGH THE TOUGHEST MEETING</b></p> <p>10              <b>OF YOUR LIFE?</b></p> <p>11             <b>THIS IS THE AD YOU RAN IN THE NATIONAL ASBESTOS</b></p> <p>12             <b>COUNCIL MAGAZINE; CORRECT?</b></p> <p>13       A   THAT IS CORRECT.</p> <p>14       <b>Q   SINCE THAT TIME, DR. LONGO, I THINK YOU TOLD US</b></p> <p>15       <b>EARLIER THIS MORNING, YOUR COMPANY HAS BILLED ALMOST</b></p> <p>16       <b>\$30 MILLION IN TESTIFYING IN DEPOSITIONS AND IN</b></p> <p>17       <b>COURTROOMS; CORRECT?</b></p> <p>18       A   IN TESTING, I THINK THAT'S PROBABLY A FAIR</p> <p>19       ESTIMATE.</p> <p>20       <b>Q   SINCE YOU RAN THIS AD, YOU HAVE GIVEN 2,500 TO</b></p> <p>21       <b>3,000 DEPOSITIONS; TRUE?</b></p> <p>22       <b>A   I BELIEVE THAT'S TRUE.</b></p> <p>23       <b>Q   AND 90 TO 95 PERCENT OF THE TIME THAT YOU APPEAR</b></p> <p>24       <b>AT TRIAL OR IN DEPOSITION, IT IS ON BEHALF OF THE</b></p> <p>25       <b>PLAINTIFF; CORRECT?</b></p> <p>26       A   THAT IS CORRECT.</p> <p>27       <b>Q   TRYING TO KEEP UP WITH YOUR HOURLY RATE, YOU NOW</b></p> <p>28       <b>BILL \$550 AN HOUR?</b></p>	<p>1       <b>Q   THE QUESTION I WAS JUST ASKING YOU: I AM GOING</b></p> <p>2       <b>TO PUT \$30 MILLION. AND TO BE CLEAR, THIS IS FOR LEGAL</b></p> <p>3       <b>CONSULTATION, DEPOSITIONS, WORK EVALUATION, TRIAL</b></p> <p>4       <b>TESTIMONY ON BEHALF OF PLAINTIFFS; CORRECT?</b></p> <p>5       A   THAT'S WHAT IT STATES.</p> <p>6       <b>Q   THAT'S YOUR TESTIMONY?</b></p> <p>7       A   I BELIEVE SO. NOT EXACTLY CORRECT, BUT THAT'S</p> <p>8       WHAT IT STATES.</p> <p>9       <b>Q   CAN WE GO TO THE NEXT TWO LINES. YOU CAN SEE</b></p> <p>10       <b>THIS IS TESTIMONY GIVEN MAY 15, 2018; CORRECT?</b></p> <p>11       A   I REMEMBER IT WELL.</p> <p>12       <b>Q   AND THE NEXT QUESTION WAS:</b></p> <p>13               <b>THAT WAS BY A COMPANY YOU OWNED</b></p> <p>14               <b>75 PERCENT OF.</b></p> <p>15       <b>YOU WILL AGREE YOU SAID "YES, SIR"; CORRECT?</b></p> <p>16       A   I DO OWN 75 PERCENT.</p> <p>17       <b>Q   LET'S DO A COUPLE OTHER THINGS BEFORE WE MOVE ON.</b></p> <p>18       <b>JUST TALK BRIEFLY ABOUT SOME OF YOUR QUALIFICATIONS.</b></p> <p>19               <b>I KNOW YOU'VE OFFERED SOME OPINIONS ABOUT</b></p> <p>20       <b>EXPOSURES AND THE LIKE, BUT YOU ARE NOT AN INDUSTRIAL</b></p> <p>21       <b>HYGIENIST; CORRECT?</b></p> <p>22       A   I AM NOT A CERTIFIED HYGIENIST, NO.</p> <p>23       <b>Q   THERE'S A CERTIFICATION YOU GET IF YOU WANT TO GO</b></p> <p>24       <b>BECOME CERTIFIED IN THE FIELD OF INDUSTRIAL HYGIENE;</b></p> <p>25       <b>TRUE?</b></p> <p>26       A   THAT IS CORRECT.</p> <p>27       <b>Q   YOU ARE NOT A STATISTICIAN; CORRECT?</b></p> <p>28       A   NO, SIR, I AM NOT.</p>
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<p>1       A   YES, SIR. I BELIEVE THAT'S THE LAST SIX YEARS.</p> <p>2       <b>Q   TO MAKE SURE I PHRASE THIS CORRECTLY -- OVER THE</b></p> <p>3       <b>PAST 30 YEARS M.A.S. HAS BILLED OVER \$30 MILLION FOR</b></p> <p>4       <b>LEGAL CONSULTATION, DEPOSITIONS, WORK EVALUATION AND</b></p> <p>5       <b>TRIAL TESTIMONY ON BEHALF OF PLAINTIFFS; CORRECT?</b></p> <p>6       A   OH, NO, THAT WOULD BE ON BEHALF OF PLAINTIFFS AND</p> <p>7       DEFENDANTS, I BELIEVE.</p> <p>8       <b>THE COURT: WHILE YOU ARE LOOKING FOR THAT.</b></p> <p>9       LADIES AND GENTLEMEN, A DEPOSITION IS A QUESTION AND</p> <p>10       ANSWER SESSION UNDER OATH. IT TAKE PLACE BEFORE TRIAL.</p> <p>11       THE ATTORNEYS ARE PRESENT AND THE WITNESS IS SWORN</p> <p>12       SIMILAR TO THE OATH TAKEN IN COURT. THE QUESTIONS ARE</p> <p>13       UNDER PENALTY OF PERJURY. YOU ARE TO TREAT THE</p> <p>14       TESTIMONY FROM A DEPOSITION BY WHOMEVER IS TESTIFYING AS</p> <p>15       IF IT WAS GIVEN IN COURT.</p> <p>16       <b>BY MR. BAILEY:</b></p> <p>17       <b>Q   ON PAGE 1825 --</b></p> <p>18       <b>MR. BAILEY: MAY I APPROACH, YOUR HONOR?</b></p> <p>19       <b>THE COURT: YES.</b></p> <p>20       <b>THE WITNESS: 1825?</b></p> <p>21       <b>MR. BAILEY: YES, SIR.</b></p> <p>22       YOUR HONOR, THIS IS -- TRIAL TRANSCRIPT</p> <p>23       PAGE 1825, LINE 2 THROUGH 8.</p> <p>24       <b>THE COURT: LINE 2 THROUGH 8.</b></p> <p>25       <b>MR. BAILEY: YES, YOUR HONOR. MAY WE DISPLAY IT?</b></p> <p>26       <b>THE COURT: YES.</b></p> <p>27       <b>MR. BAILEY: CAN YOU?</b></p> <p>28       <b>BY MR. BAILEY:</b></p>	<p>1       <b>Q   JURY HAS HEARD ABOUT EPIDEMIOLOGY. YOU ARE NOT</b></p> <p>2       <b>AN EPIDEMIOLOGIST?</b></p> <p>3       A   NO, I AM NOT.</p> <p>4       <b>Q   OR A GEOLOGIST OR EVEN A MINERALOGIST; CORRECT?</b></p> <p>5       A   I DON'T HAVE A DEGREE IN GEOLOGY OR MINERALOGY,</p> <p>6       NO.</p> <p>7       <b>Q   AND WHILE WE'RE MOVING THROUGH THIS, YOU HAVE</b></p> <p>8       <b>NEVER PUBLISHED A PAPER ON TALC; TRUE?</b></p> <p>9       A   THAT'S TRUE.</p> <p>10       <b>Q   YOU HAVE NEVER BEEN TO A TALC MINE ANYWHERE OR</b></p> <p>11       <b>ANYTIME; CORRECT?</b></p> <p>12       A   THAT IS STILL TRUE.</p> <p>13       <b>Q   YOU HAVE NEVER TESTED COSMETIC TALC FOR ANY</b></p> <p>14       <b>REASON OUTSIDE OF BEING HIRED IN LITIGATION; CORRECT?</b></p> <p>15       A   THAT WOULD BE CORRECT.</p> <p>16       <b>Q   THE ONLY TIME YOU HAVE EVER TESTED COSMETIC TALC</b></p> <p>17       <b>WAS WHEN YOU'RE HIRED BY PLAINTIFF'S ATTORNEYS; CORRECT?</b></p> <p>18       A   THAT'S CORRECT.</p> <p>19       <b>Q   AND YOU BEGAN YOUR WORK IN 1990. AND YOU HAVE</b></p> <p>20       <b>TESTED BRAKES, YOU HAVE TESTED CLUTCHES, YOU HAVE TESTED</b></p> <p>21       <b>A NUMBER OF THINGS TO EARN THIS \$30 MILLION IN TESTIMONY</b></p> <p>22       <b>FEES AND TESTING FEES FOR PLAINTIFFS, ALWAYS LOOKING FOR</b></p> <p>23       <b>WHETHER THERE WAS ASBESTOS IN A PRODUCT; CORRECT?</b></p> <p>24       A   WELL, THE SECOND PART IS INCORRECT. THE</p> <p>25       30 MILLION WOULD BE A COMBINATION OF BOTH BECAUSE THAT'S</p> <p>26       WHAT I WAS AVERAGING. I DIDN'T CATCH, WHEN THAT</p> <p>27       QUESTION WAS ASKED OF ME BEFORE, THAT IT SAID</p> <p>28       PLAINTIFFS. BUT CERTAINLY OUR COMPANY HAS BILLED AND</p>

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<p>1 OUR LITIGATION PEOPLE THERE, FOR ALL THE PEOPLE THERE,</p> <p>2 \$30 MILLION OVER THE LAST 30 YEARS.</p> <p>3 Q YOU DIDN'T CATCH THE QUESTION WHEN YOU WERE ASKED</p> <p>4 IN COURT LAST TIME ABOUT MAKING \$30 MILLION ON BEHALF OF</p> <p>5 TESTIFYING FOR PLAINTIFF'S LAWYERS. AND YOUR TESTIMONY</p> <p>6 NOW IS: THAT IS NOT TRUE, I DIDN'T CATCH THE QUESTION?</p> <p>7 A I DIDN'T CATCH THE PLAINTIFF PART OF THAT</p> <p>8 QUESTION.</p> <p>9 Q ONE OF THE PRODUCTS YOU HAVE TESTED IS KENT</p> <p>10 CIGARETTES; CORRECT?</p> <p>11 A YES, SIR, IT IS.</p> <p>12 Q LET'S TALK ABOUT SOME OF THE PLAINTIFF'S LAW</p> <p>13 FIRMS YOU'VE WORKED FOR BEFORE MOVING INTO TESTIFYING IN</p> <p>14 ASBESTOS RELATED CASES.</p> <p>15 WE TALKED ABOUT YOU TESTING BRAKES, JOINT</p> <p>16 COMPOUNDS, PIPE INSULATIONS, THINGS LIKE THAT. THAT'S</p> <p>17 BEEN THE VAST MAJORITY OF YOUR LITIGATION CAREER, HASN'T</p> <p>18 IT, ON BEHALF OF PLAINTIFFS WHO ARE CLAIMING SOMETHING</p> <p>19 IN A PRODUCT INJURED THEIR CLIENT?</p> <p>20 A I THINK THAT'S CORRECT.</p> <p>21 Q FROM 1990 TO 2016, YOU HAD NEVER DONE ANY</p> <p>22 EVALUATION OF TALC DESPITE HAVING GIVEN THOUSANDS OF</p> <p>23 DEPOSITIONS AND EVALUATED HUNDREDS, IF NOT THOUSANDS OF</p> <p>24 PRODUCTS; TRUE?</p> <p>25 A I THINK THAT'S TRUE.</p> <p>26 Q EVERY YEAR IN 1990, PLAINTIFF'S ATTORNEYS HAD YOU</p> <p>27 COME TO COURT AND TESTIFY ABOUT PRODUCTS YOU HAD TESTED</p> <p>28 THAT THEY WERE CONTENDING CAUSED MESOTHELIOMA?</p>	<p>1 A YES, SIR.</p> <p>2 Q DO YOU REMEMBER WHEN YOU FIRST TESTED THOSE AND</p> <p>3 WHO ASKED YOU TO DO IT?</p> <p>4 A IT HAS BEEN SO LONG. I HAVE TO BELIEVE IT WAS</p> <p>5 PLAINTIFF'S ATTORNEYS.</p> <p>6 Q DO YOU REMEMBER WHO IT WAS WHO SENT THE PRODUCT</p> <p>7 TO YOU?</p> <p>8 A IT'S BEEN TOO LONG.</p> <p>9 Q CAN YOU GIVE US AN ESTIMATE OF HOW MANY YEARS AGO</p> <p>10 YOU BEGAN EVALUATING WHETHER THESE ASBESTOS CIGARETTES</p> <p>11 EMITTED CROCIDOLITE FIBERS INTO THE LUNGS OF PEOPLE WHO</p> <p>12 WERE SMOKING?</p> <p>13 A I THINK IT STARTED IN THE EARLY 1990'S.</p> <p>14 Q YOU DON'T REMEMBER WHO IT IS WHO PAID YOU TO DO</p> <p>15 THIS TEST?</p> <p>16 A I REMEMBER THEY WERE PLAINTIFF'S ATTORNEYS, BUT</p> <p>17 IT'S BEEN SO LONG I CAN'T REMEMBER THE NAMES.</p> <p>18 Q HERE, IF MY RESEARCH IS CORRECT, JUST TWO MONTHS</p> <p>19 AGO YOU ARE STILL TESTIFYING ON BEHALF OF PLAINTIFF'S</p> <p>20 ATTORNEYS THAT KENT CIGARETTES CREATE SUBSTANTIAL</p> <p>21 EXPOSURE TO CROCIDOLITE ASBESTOS. IS THAT TRUE?</p> <p>22 A THAT IS TRUE. THAT WILL ALWAYS BE MY OPINION.</p> <p>23 Q IS THAT THE CIGARETTE MICRONITE FILTER THAT YOU</p> <p>24 TESTIFIED ABOUT AND TESTED?</p> <p>25 A YES, SIR, IT IS.</p> <p>26 Q YOU STARTED STUDYING IT IN THE EARLY NINETIES,</p> <p>27 JUST FROM MY NOTES. DOES THAT SOUND RIGHT?</p> <p>28 A YES, I THINK THAT'S WHAT I SAID.</p>
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<p>1 A NO, THAT'S NOT --</p> <p>2 Q CERTAINLY INTO THE LATE NINETIES; CORRECT?</p> <p>3 A THE LATE NINETIES, THAT'S CORRECT. THE EARLY</p> <p>4 NINETIES WAS MOSTLY OUR FORENSIC ENGINEERING, REVERSE</p> <p>5 ENGINEERING --</p> <p>6 MR. BAILEY: EXCUSE ME. YOUR HONOR, IT'S</p> <p>7 NONRESPONSIVE.</p> <p>8 THE COURT: THE QUESTION WAS:</p> <p>9 CERTAINLY INTO THE LATE NINETIES;</p> <p>10 CORRECT?</p> <p>11 ANSWER: THE LATE NINETIES,</p> <p>12 THAT'S CORRECT.</p> <p>13 LET ME JUST EXPLAIN, DOCTOR. AS YOU KNOW, ON</p> <p>14 DIRECT EXAMINATION YOU ARE ALLOWED TO GIVE A NARRATIVE</p> <p>15 ANSWER. THEN ON CROSS-EXAMINATION, IF THE QUESTION</p> <p>16 CALLS FOR YES OR NO, YOU ARE TO GIVE ONE. AND THEN</p> <p>17 MR. PURDY CAN FOLLOW UP ON ANYTHING THAT IS ASKED BY</p> <p>18 MR. BAILEY.</p> <p>19 THE WITNESS: SORRY, YOUR HONOR. I WILL TRY TO</p> <p>20 KEEP MYSELF IN CHECK OVER THIS.</p> <p>21 THE COURT: THAT'S FINE. WE WILL JUST CONTINUE.</p> <p>22 THANK YOU.</p> <p>23 BY MR. BAILEY:</p> <p>24 Q I GATHER, FROM THE NUMBERS WE ARE TALKING ABOUT,</p> <p>25 THIS ISN'T YOUR FIRST TRIP TO THE COURTHOUSE?</p> <p>26 A I WOULD SAY WE AGREE WITH THAT.</p> <p>27 Q ALL RIGHT. ONE OF THE PRODUCTS YOU TESTED IN</p> <p>28 YOUR CAREER HAS BEEN KENT MICRONITE CIGARETTES; CORRECT?</p>	<p>1 Q YOU PUBLISHED THE FINDINGS OF YOUR RESEARCH ON</p> <p>2 THESE MICRONITE CIGARETTES IN 1995; IS THAT CORRECT?</p> <p>3 A THAT IS CORRECT.</p> <p>4 Q IS THIS A TRUE STATEMENT?</p> <p>5 KENT MICRONITE CIGARETTES ARE</p> <p>6 PROBABLY THE WORST CONSUMER PRODUCT</p> <p>7 EVER MANUFACTURED IN THIS COUNTRY.</p> <p>8 A AT THE TIME I TESTED THEM, THAT WAS MY OPINION,</p> <p>9 YES.</p> <p>10 Q AND TWO MONTHS AGO IN A COURT JUST LIKE THIS,</p> <p>11 THAT WAS YOUR OPINION; CORRECT?</p> <p>12 A YES, SIR. I HAVE ALWAYS STATED THAT.</p> <p>13 Q WHAT YOU DID WHEN YOU STUDIED THESE WAS YOU</p> <p>14 WANTED TO LOOK AND SEE (A), IS THERE ASBESTOS IN THE</p> <p>15 FILTERS THAT THE MICRONITE CIGARETTES HAD; RIGHT?</p> <p>16 A YES.</p> <p>17 Q WAS THERE?</p> <p>18 A THERE WAS.</p> <p>19 Q AND THEN THE QUESTION WAS WHAT KIND OF ASBESTOS.</p> <p>20 WHAT DID YOU LEARN?</p> <p>21 A WELL, IF YOU LOOK AT THE BLUE, THAT'S A PRETTY</p> <p>22 GOOD INDICATION THAT IT'S CROCIDOLITE BECAUSE THAT'S THE</p> <p>23 BLUE ASBESTOS, AND WE VERIFIED THAT.</p> <p>24 Q AND THESE FILTERS WERE MADE SO THAT THEY WEREN'T</p> <p>25 PACKED IN THERE SO TIGHTLY SO THAT AIR COULD NOT MAKE</p> <p>26 THEIR WAY THROUGH IT; CORRECT?</p> <p>27 A THAT'S CORRECT.</p> <p>28 Q THAT WAS THE REASON FOR -- I GUESS FOR THE</p>

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FOR THE COUNTY OF LOS ANGELES

CONSOLIDATED PROCEEDINGS )  
SPECIAL TITLE (RULE 3.550) )  
 )  
LAOSD ASBESTOS CASES ) JCCP CASE NO. 4674  
 )  
ILENE BRICK, )  
 )  
 ) CASE NO. BC674595  
PLAINTIFF, )  
 )  
 )  
VS. )  
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 )  
BRENNTAG NORTH AMERICA, INC., )  
ET AL., )  
 )  
 )  
DEFENDANTS. )

DATED THIS 1ST DAY OF JUNE, 2018.

K. DARLENE LEWIS  
NO. 13534